

EXHIBIT E

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

MIDAS GREEN TECHNOLOGIES, LLC,	§	
PLAINTIFF,	§	
	§	CASE NO. <u>4:20-cv-00555-O</u>
V.	§	
	§	JURY TRIAL DEMANDED
	§	
IMMERSION SYSTEMS LLC,	§	PATENT CASE
DEFENDANT.	§	
	§	

JOINT CLAIM CONSTRUCTION CHART

Pursuant to Rule 4-5(d) of the Second Amended Miscellaneous Order No. 62 of the Northern District of Texas, Dallas Division and the Joint Scheduling Order entered by the Court (Dkt. No. 64), Plaintiff and Counterclaim Defendant Midas Green Technologies, LLC and Defendant and Counterclaim Plaintiff Immersion Systems LLC hereby submit their Joint Claim Construction Chart, attached as Exhibit A.

Dated: October 15, 2021

Respectfully Submitted,

/s/ Artie Pennington

Artie Pennington
State Bar No. 24090324
aapennington@hpkdlaw.com

Hunt Pennington Kumar, PLLC
609 Castle Ridge Rd., Ste. 315
Austin, TX 78746
Phone: (512) 766-6082
Fax: (512) 233-2699

ATTORNEY FOR PLAINTIFF
MIDAS GREEN TECHNOLOGIES, LLC

/s/ Alexander Karl

Peter M. Spingola
(Admitted Pro Hac Vice)
Illinois Bar No. 6243942
E-Mail: pspingola@chapmanspingola.com
John M. Owen
(Admitted Pro Hac Vice)
Illinois Bar No. 6313666
E-Mail: jowen@chapmanspingola.com
Alexander Karl
(Admitted Pro Hac Vice)
Illinois Bar No. 6329903
E-Mail: akarl@chapmanspingola.com
Suhani Mehrotra
(Admitted Pro Hac Vice)
Illinois Bar No. 6333054
E-Mail: smehrotra@chapmanspingola.com
CHAPMAN SPINGOLA, LLP
190 South LaSalle Street, Suite 3850
Chicago, IL 60603
Telephone: (312) 630-9202
Facsimile: (312) 630-9233

-and-

Kenneth C. Riney
Texas Bar No. 24046721
E-Mail: kriney@krcl.com
Andrew D. Robertson
Texas Bar No. 24090845
E-Mail: drobertson@krcl.com
Bruce “Chip” Morris
Texas Bar No. 12188750
E-Mail: bmorris@krcl.com
KANE RUSSELL COLEMAN LOGAN PC
901 Main Street, Suite 5200
Dallas, Texas 75202
Telephone: (214) 777-4200
Facsimile: (214) 777-4299

COUNSEL FOR DEFENDANT
IMMERSION SYSTEMS LLC

CERTIFICATE OF SERVICE

I hereby certify that on 15th day of October, 2021, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the CM/ECF filing system of the court for electronic service on all parties.

Respectfully submitted,

By: /s/ Artie Pennington
Artie Pennington

EXHIBIT A

JOINT CLAIM CONSTRUCTION CHART

Midas Green Technologies, LLC v. Immersion Systems LLC

U.S. Patent No. 10,405,457 (the "'457 Patent")

U.S. Patent No. 10,820,446 (the "'446 Patent")

I. AGREED CLAIM TERMS.

The parties have already agreed upon the following constructions of the nineteen (19) claims.

	Patent and Claim Number(s)	Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Judge's Construction
1.	'457 Patent Claims 1, 5, 6, 10, 11, 14; '446 Patent Claims 1, 5, 6, 10	"a tank adapted to immerse"	[AGREED]	[AGREED]	Plain and Ordinary Meaning
2.	'457 Patent Claims 1, 5, 6, 10, 11, 14; '446 Patent Claims 1, 5, 6, 10	"each in a respective appliance slot"	[AGREED]	[AGREED]	Plain and Ordinary Meaning
3.	'457 Patent Claims 1, 5, 6, 10, 11, 14; '446 Patent Claims 1, 5, 6, 10	"weir"	[AGREED]	[AGREED]	"an overflow structure or barrier that determines the level of liquid"
4.	'457 Patent Claims 1, 5, 6, 10, 11, 14; '446 Patent Claims 1, 5, 6, 10	"weir, integrated horizontally into the long wall"	[AGREED]	[AGREED]	Plain and Ordinary Meaning

5.	'457 Patent Claims 1, 5, 6, 10, 11, 14; '446 Patent Claims 1, 5, 6, 10	"primary circulation facility adapted to circulate"	[AGREED]	[AGREED]	Plain and Ordinary Meaning
6.	'457 Patent Claims 1, 5, 6, 10, 11, 14; '446 Patent Claims 1, 5, 6, 10	"substantially uniform recovery of the dielectric fluid"	[AGREED]	[AGREED]	Plain and Ordinary Meaning
7.	'457 Patent Claims 1, 5, 6, 10, 11, 14; '446 Patent Claims 1, 5, 6, 10	"primary fluid circulation facility"	[AGREED]	[AGREED]	Plain and Ordinary Meaning
8.	'457 Patent Claims 1, 5, 6, 10, 11, 14; '446 Patent Claims 1, 5, 6, 10	"plenum"	[AGREED]	[AGREED]	"a structure for dispensing liquid"
9.	'457 Patent Claims 1, 5, 6, 10, 11, 14; '446 Patent Claims 1, 5, 6, 10	"plenum, positioned adjacent the bottom of the tank"	[AGREED]	[AGREED]	Plain and Ordinary Meaning
10.	'457 Patent Claims 1, 5, 6, 10, 11, 14; '446 Patent Claims 1, 5, 6, 10	"a plenum . . . adapted to dispense"	[AGREED]	[AGREED]	Plain and Ordinary Meaning
11.	'457 Patent	"substantially uniformly upwardly"	[AGREED]	[AGREED]	Plain and Ordinary Meaning

	Claims 1, 5, 6, 10, 11, 14; '446 Patent Claims 1, 5, 6, 10				
12.	'457 Patent Claims 1, 5, 6, 10, 11, 14; '446 Patent Claims 1, 5, 6, 10	"a control facility"	[AGREED]	[AGREED]	Plain and Ordinary Meaning
13.	'457 Patent Claims 1, 5, 6, 10, 11, 14; '446 Patent Claims 1, 5, 6, 10	"as a function of the temperature"	[AGREED]	[AGREED]	Plain and Ordinary Meaning
14.	'457 Patent Claims 1, 5; '446 Patent Claim 1	"secondary fluid circulation facility"	[AGREED]	[AGREED]	Plain and Ordinary Meaning
15.	'457 Patent Claims 1, 5; '446 Patent Claim 1	"adapted to extract heat"	[AGREED]	[AGREED]	Plain and Ordinary Meaning
16.	'457 Patent Claims 1, 5; '446 Patent Claim 1	"dissipate to the environment the heat so extracted"	[AGREED]	[AGREED]	Plain and Ordinary Meaning
17.	'457 Patent Claims 5, 10, 14; '446 Patent Claims 5, 10	"communication facility adapted to facilitate monitoring and control"	[AGREED]	[AGREED]	Plain and Ordinary Meaning
18.	'457 Patent Claims 5, 10, 14; '446 Patent	"remote location"	[AGREED]	[AGREED]	Plain and Ordinary Meaning

	Claims 5, 10				
19.	'457 Patent Claims 1, 5, 6, 10	"over the weir"	[AGREED]	[AGREED]	Plain and Ordinary Meaning

II. DISPUTED CLAIM TERMS.

The disputed claims, with the two (2) disputed claim terms bolded, are displayed below.

	Patent and Claim Number(s)	Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Judge's Construction
1.	'457 Patent Claim 1	<p>"An appliance immersion cooling system comprising: a tank adapted to immerse in a dielectric fluid a plurality of electrical appliances, each in a respective appliance slot distributed vertically along, and extending transverse to, a long wall of the tank, the tank comprising:</p> <p>a weir, integrated horizontally into the long wall of the tank adjacent all appliance slots, having an overflow lip adapted to facilitate substantially uniform</p>	<p>(i) Not indefinite; Plain and Ordinary Meaning</p> <p>(ii) Alternatively, "a weir ... having an overflow edge or boundary capable of easing or helping substantially uniform recovery"</p>	<p>Immersion contends that this claim term is indefinite for failure to meet the requirements of 35 U.S.C. § 112(b) which renders the applicable claims invalid.</p>	

		<p>recovery of the dielectric fluid flowing through each appliance slot; and;</p> <p>a dielectric fluid recovery reservoir positioned vertically beneath the overflow lip of the weir and adapted to receive the dielectric fluid as it flows over the weir;</p> <p>a primary circulation facility adapted to circulate the dielectric fluid through the tank, comprising:</p> <p>a plenum, positioned adjacent the bottom of the tank, adapted to dispense the dielectric fluid</p> <p>substantially uniformly upwardly through each appliance slot;</p> <p>a secondary fluid circulation facility adapted to extract heat from the dielectric fluid circulating in</p> <p>the primary circulation facility, and to dissipate to the</p>			
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		<p>environment the heat so extracted; and</p> <p>a control facility adapted to coordinate the operation of the primary and secondary fluid circulation facilities as a function of the temperature of the dielectric fluid in the tank."</p>			
2.	'457 Patent Claim 6	<p>"A tank module adapted for use in an appliance immersion cooling system, the tank module comprising:</p> <p>a tank adapted to immerse in a dielectric fluid a plurality of electrical appliances, each in a</p> <p>respective appliance slot distributed vertically along, and extending transverse to, a long wall of the tank, the tank comprising:</p> <p>a weir, integrated horizontally into the long wall of the tank adjacent</p>	<p>(i) Not indefinite; Plain and Ordinary Meaning</p> <p>(ii) Alternatively, "a weir ... having an overflow edge or boundary capable of easing or helping substantially uniform recovery"</p>	<p>Immersion contends that this claim term is indefinite for failure to meet the requirements of 35 U.S.C. § 112(b) which renders the applicable claims invalid.</p>	

		<p>all appliance slots, having an overflow lip adapted to facilitate substantially uniform recovery of the dielectric fluid flowing through each appliance slot; and;</p> <p>a dielectric fluid recovery reservoir positioned vertically beneath the overflow lip of the weir and adapted to receive the dielectric fluid as it flows over the weir;</p> <p>a primary circulation facility adapted to circulate the dielectric fluid through the tank, comprising:</p> <p>a plenum, positioned adjacent the bottom of the tank, adapted to dispense the dielectric fluid substantially uniformly upwardly through each appliance slot; and</p> <p>a control facility adapted to control the operation of the primary fluid circulation facility as function of the temperature of the</p>			
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		dielectric fluid in the tank."			
3.	'457 Patent Claim 11	<p>"A tank module (10) adapted for use in an appliance immersion cooling system, the tank module comprising:</p> <p style="padding-left: 40px;">a tank (12) adapted to immerse in a dielectric fluid a plurality of electrical appliances (16), each in a respective appliance slot (18) distributed vertically along, and extending transverse to, a long wall of the tank (10), the tank (10) comprising:</p> <p style="padding-left: 40px;">a weir 22, integrated horizontally into the long wall of the tank (10) adjacent all appliance slots (18), adapted to facilitate substantially uniform recovery of the dielectric fluid flowing through each appliance slot (18);</p> <p style="padding-left: 40px;">a primary circulation facility (28) adapted to</p>	<p>(i) Not indefinite; Plain and Ordinary Meaning</p> <p>(ii) Alternatively, "a weir ... capable of easing or helping substantially uniform recovery"</p>	Immersion contends that this claim term is indefinite for failure to meet the requirements of 35 U.S.C. § 112(b) which renders the applicable claims invalid.	

		<p>circulate the dielectric fluid through the tank (10), comprising:</p> <p>a plenum (36), positioned adjacent the bottom of the tank (10), adapted to dispense the dielectric fluid substantially uniformly upwardly through each appliance slot (18); and</p> <p>a control facility (58) adapted to control the operation of the primary fluid circulation facility (28) as a function of the temperature of the dielectric fluid in the tank (10)."</p>			
4.	'446 Patent Claim 1	<p>"An appliance immersion cooling system comprising:</p> <p>a tank adapted to immerse in a dielectric fluid a plurality of electrical appliances, each in a respective appliance slot distributed vertically along, and extending transverse to, a long wall</p>	<p>(i) Not indefinite; Plain and Ordinary Meaning</p> <p>(ii) Alternatively, "a weir ... capable of easing or helping substantially uniform recovery"</p>	<p>Immersion contends that this claim term is indefinite for failure to meet the requirements of 35 U.S.C. § 112(b) which renders the applicable claims invalid.</p>	

		<p>of the tank, the tank comprising:</p> <p>a weir, integrated horizontally into the long wall of the tank adjacent all appliance slots, adapted to facilitate substantially uniform recovery of the dielectric fluid flowing through each appliance slot;</p> <p>a primary circulation facility adapted to circulate the dielectric fluid through the tank, comprising:</p> <p>a plenum, positioned adjacent the bottom of the tank, adapted to dispense the dielectric fluid substantially uniformly upwardly through each appliance slot;</p> <p>a secondary fluid circulation facility adapted to extract heat from the dielectric fluid circulating in the primary circulation facility, and to dissipate to the</p>			
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		<p>environment the heat so extracted; and</p> <p>a control facility adapted to coordinate the operation of the primary and secondary fluid circulation facilities as a function of the temperature of the dielectric fluid in the tank."</p>			
5.	'446 Patent Claim 6	<p>"A tank module adapted for use in an appliance immersion cooling system, the tank module comprising:</p> <p>a tank adapted to immerse in a dielectric fluid a plurality of electrical appliances, each in a respective appliance slot distributed vertically along, and extending transverse to, a long wall of the tank, the tank comprising:</p> <p>a weir, integrated horizontally into the long wall of the tank adjacent all appliance slots,</p>	<p>(i) Not indefinite; Plain and Ordinary Meaning</p> <p>(ii) Alternatively, "a weir ... capable of easing or helping substantially uniform recovery"</p>	Immersion contends that this claim term is indefinite for failure to meet the requirements of 35 U.S.C. § 112(b) which renders the applicable claims invalid.	

		<p>adapted to facilitate substantially uniform recovery of the dielectric fluid flowing through each appliance slot;</p> <p>a primary circulation facility adapted to circulate the dielectric fluid through the tank, comprising:</p> <p>a plenum, positioned adjacent the bottom of the tank, adapted to dispense the dielectric fluid substantially uniformly upwardly through each appliance slot; and</p> <p>a control facility adapted to control the operation of the primary fluid circulation facility as a function of the temperature of the dielectric fluid in the tank."</p>			
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